

Notice of Allowability

Application No.

09/626,090

Examiner

Robert M. Pond

Applicant(s)

FRANCISCUS DE HEER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment (8/03/06) and Examiner's Amendment (Paper #20061027).
2. ☒ The allowed claim(s) is/are 1, 3- 5, 7, and 14-17.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20061027.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Robert M. Pond
Prising Examiner

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authortization

Authorization for this examiner's amendment was given in a telephone interview with Mr. Daniel Song, Reg. # 43,143 on 27 October 2006.

Allowed Claims

Claims 1, 3-5, 7, and 14-17 are allowed as entered on 10 November 2005.
Claims 2, 6, and 8-13 are canceled.

In the Specification

The specification entered 26 July 2000 has been amended as follows:

- Page 2, line 15, before "filed" delete the blank underline and insert therefore: - -09/626,347- -
- Page 2, line 17, before "filed" delete the blank underline and insert therefore: - -09/625,913- -
- Page 2, line 19, before "filed" delete the blank underline and insert therefore: - -09/625,745- -

- Page 10, line 8, after “invention.” insert therefore: - -FIG. 3 refers to FIGs. 3-1, 3-2, and 3-3 collectively.- -
- Page 10, line 11, after “invention.” insert therefore: - - FIG. 4 refers to FIGs. 4-1 and 4-2 collectively.- -
- Page 11, line 6, after “invention.” insert therefore: - -FIG. 9B refers to FIGs. 9B-1 and 9B-2 collectively.- -
- Page 11, line 10, after “invention.” insert therefore: - -FIG. 9D refers to FIGs. 9D-1 and 9D-2 collectively.- -
- Page 11, line 23, after “invention.” insert therefore: - -FIG. 12B refers to FIGs. 12B-1, 12B2, and 12B-3 collectively.- -
- Page 11, line 25, after “invention.” insert therefore: - -FIG. 13A refers to FIGs. 13A-1, 13A-2, 13A-3, and 13A-4 collectively.- -
- Page 12, line 1, after “invention.” insert therefore: - -FIG. 13B refers to FIGs. 13B-1 and 13B-2 collectively.- -
- Page 12, line 10, delete “14A.is” and insert therefore: - -14A is- -

In the Abstract

Delete the abstract in its entirety and insert therefore:

- - An apparatus and method for distributing data for generating an electronic catalog, including capturing product data for a plurality of products according to a data model, storing the product data, receiving language availability information indicative of languages in which the product data are available,

receiving a customer profile from a customer indicating one or more of the plurality of products for which product data is to be transmitted, receiving a set of language selections from the customer indicating a plurality of languages in which the product data is to be transmitted, storing the set of language selections for the customer such that the set of language selections is associated with the customer profile, and distributing the product data in accordance with the customer profile to the customer in the plurality of languages indicated in the set of language selections. - -

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The field of the invention relates to the capture, storing, and distribution of product data, and specifically pertains to aggregating product data based on a customer-specific profile and distributing the aggregated product data to the customer for the purpose of generating a product catalog.

Pertaining to claim 1: The prior art of record neither discloses nor teaches and suggests the combination of capturing product data according to a data model, receiving a customer profile, and transmitting the captured product data to the customer based on what the customer profile specifies in terms of product data and language availability (for example English, Spanish, etc.). The claimed invention is useful for a content aggregator to specify to a content provider what product data it desires and in what language. The transmitted content to the

aggregator is then used to generate a product catalog. The benefit is the customer receives only the product data and languages requested rather than receiving product data in bulk. This approach reduces transmission time, saves bandwidth, and saves the customer processing time on the backend.

Pertaining to claims 15, 16, and 17: The prior art of record neither discloses nor teaches and suggest the claimed invention for the same rationale as noted above.

Closest US Patents/Patent Publications

US 5,740,425 (Povilus, first cited in Paper #6)

Povilus discloses capturing product data according to a data model but fails to disclose or teach and suggest the combination of: a) receiving a customer profile that specifies one or more of the plurality of products, b) receiving a set of language selections from the customer indicating a plurality of languages in which the product data is to be transmitted to the customer, and c) distributing the stored product data to the customer, and d) incorporating the product data into an electronic catalog.

Povilus mentioned in passing about user phrases being in an indication of its language (e.g. English, French) but fails to disclose the combination as noted above.

Forward and backward citations on Povilus produced prior art in the field but failed to produce prior art stronger than Povilus as it pertains to the claimed combination.

US 6,154,738 (Call cited in IDS)

Call discloses a product catalog generation system and method. Call discloses a registration template used by a manufacturer to transfer product data to a reseller or publisher. Call fails to disclose the combination a) receiving a customer profile that specifies one or more of the plurality of products, b) receiving a set of language selections from the customer indicating a plurality of languages in which the product data is to be transmitted to the customer, and c) distributing the stored product data to the customer, and d) incorporating the product data into an electronic catalog.

Forward and backward citations on Call produced prior art in the field but failed to produce prior art stronger than Call as it pertains to the claimed combination.

Closest Non-patent Literature

iSyndicate (cited in Paper #20060130, PTO-892 Items: U and V and PTO-892 included with this Examiner's Amendment)

iSyndicate discloses iSyndicate providing content syndication services to web sites of its customers using content supplied by external sources (e.g. CNET). iSyndicate discloses automatically packaging the creator's content into a

standard format which is then passed on to its customers' websites based on standard formats. iSyndicate fails to disclose iSyndicate providing to its content creators a profile that specifies one or more of the plurality of products, language selections, and receiving the product data by iSyndicate for generating a product data catalog.

CNET Services (cited in Paper#20060130, PTO-892 Items: W-VV)

CNET Services discloses the various services offered by CNET (assignee). Specific to language selections, CNET Services fails to disclose CNET receiving a customer profile as noted above in combination with a customer's language selections as noted above. While CNET Services discloses the assignee conducting business within the field of the claimed invention, the evidence of the assignee's content distribution services lacks specificity to warrant a Requirement for Information under Rule 105.

Closest Foreign Patent Publication

WO 98/10356 (Orr cited in this Examiner's Amendment)

Orr discloses a content publication system but fails to disclose the combination a) receiving a customer profile that specifies one or more of the plurality of products, b) receiving a set of language selections from the customer indicating a plurality of languages in which the product data is to be transmitted to the customer, and c) distributing the stored product data to the customer, and d) incorporating the product data into an electronic catalog.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service

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Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Robert M. Pond', with a stylized, cursive script.

Robert M. Pond
Primary Examiner
October 27, 2006